

CHAPTER 8

ARTICLE 41 – LAW ENFORCEMENT & INVESTIGATIONS

Revised February 16, 2006

85070.1 Policy

It is the policy of the California Department of Corrections and Rehabilitation (CDCR) to interact with other law enforcement agencies in order to accomplish the desired goal.

85070.2 Purpose

The purpose of this article is to clarify staff responsibilities and delineate guidelines for handling certain allegations of parolee misconduct.

85070.3 Definitions

Conditions of Parole

The conditions under which an inmate is released to parole supervision, including any added special conditions.

District Administrator

A CDCR Administrator of a Division of Adult Parole Operations (DAPO) unit, district, or geographical area.

Field File

A file maintained by a parole unit office containing pertinent information regarding a parolee's criminal history, current commitment offense, and adjustment to parole.

Parole Agent

A CDCR peace officer who is assigned to supervise those persons released from incarceration to serve a period of parole.

Polygraph Examination

The procedure by which a polygraph examiner renders an opinion as to the veracity of statements made by an examinee.

Polygraph Examiner

A person with expertise in reading a polygraph machine, which records simultaneously changes in blood pressure, respiration, and pulse rate, to determine the truthfulness of statements made by the examinee.

Parolee/Releasee

A felon or civil addict released from confinement in State prison to supervision in the community.

Parole Violation

Conduct by a parolee that violates the conditions of parole or otherwise provides good cause for the modification or revocation of parole.

Regional Parole Administrator

A CDCR administrator of a DAPO Region.

Unit Supervisor

A supervisor of case-carrying Parole Agents in DAPO.

85070.4 Law Enforcement and Investigations Unit

The Law Enforcement and Investigations Unit (LEIU) provide liaison and the exchange of information with other law enforcement agencies, the courts, and District Attorney's throughout California. Peace Officer's of the LEIU may also conduct surveillance on parolees.

- LEIU Peace Officers may conduct surveillance at the request of other law enforcement or a DAPO Unit Supervisor.

LEIU Peace Officers shall advise the appropriate Unit Supervisor of any surveillance or investigation of a parolee. Parole Agents shall immediately notify Peace Officers of any change of status of a parolee undergoing LEIU investigation or surveillance.

The Parole Agent shall not arrest or release a parolee who is under surveillance or investigation except in unusual circumstances. Should an arrest be effected, the Parole Agent shall immediately notify the Unit Supervisor and LEIU Peace Officer. Peace Officers should always be notified prior to arrest or release of a parolee under LEIU investigation.

85070.5 Polygraph Examination

Polygraph examinations of parolees shall be employed when necessary, with the parolee's consent, if approved by a Unit Supervisor. Failure of a parolee to consent to an examination will not in itself constitute grounds for parole violation.

Polygraph examinations may be administered by either LEIU or non-departmental examiners. Examinations by non-departmental personnel must be given at no expense to the DAPO. Requests for polygraph examinations by LEIU shall be submitted by the Regional Program Administrator to the Assistant Director, LEIU. For further information concerning polygraph examinations, the reader is directed to the Department Operations Manual (DOM) Chapter 1, Article 20, Polygraph.

85070.6 Revisions

The Director, DAPO, or designee is responsible for ensuring that the contents of this article are kept current and accurate.

85070.7 References

California Code of Regulations, Title 15, Division 3, Section 3293.

DOM §§ 14030 and 31140.

Penal Code §§ 830.2 and 830.5.